

RIGHT-OF-ENTRY AGREEMENT
for
Grand Avenue Park Bridge Project
 COE #UP-PW3588

REAL ESTATE MANAGER
 3200 CEDAR STREET
 EVERETT, WA 98201

PROJECT: Grand Avenue Park Bridge
 PARCEL ADDRESS: Grand Ave to Port of Everett
 Port Property APN#: 29051800400900 & 29051800400800
 OWNER: Port of Everett

This agreement is made this 10th day of March, 2015 (the "Effective Date"), by and between **Port of Everett**, a Washington Port District (hereinafter referred to as "Owner") and the City of Everett, (hereinafter referred to as "City") with reference to real property generally identified as Assessor's Parcel Number 29051800400900 and 29051800400800 (the "Property"). The City desires to conduct geotechnical borings upon portions of such Property as generally depicted on Exhibit A attached hereto and incorporated herein (such portions, the "Access Area") in furtherance of the Grand Avenue Park Bridge Project (the "Project"). Because the Project will support the Owner's furtherance of public access to waterfront areas and benefits the community, Owner hereby grants use of the Access Area under the terms and conditions provided herein.

In consideration of mutual benefits, Owner hereby grants permission to the City, its authorized agents, assigns, or subcontractors, to enter at its own risk upon the Access Area to perform the work depicted and described on Exhibit A hereto (the "Work") and to temporarily use a portion of the Property (in its as-is, where-is condition with all faults and defects, including without limitation environmental defects) in connection with the Project.

The rights of the City under this agreement are coupled with an interest on the part of the City and therefore may not be revoked prior to expiration on December 31, 2015 or Project completion, whichever occurs first.

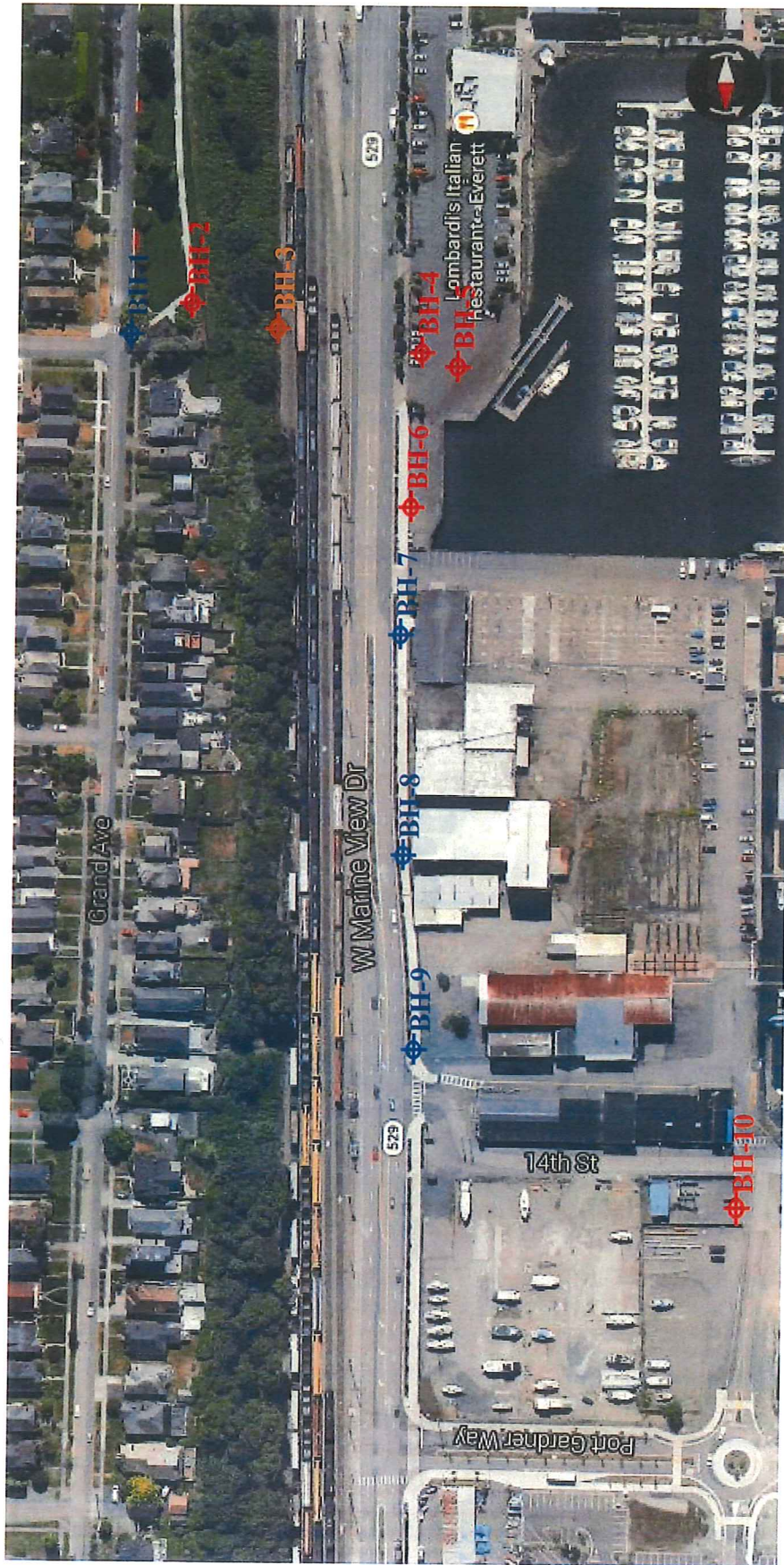
The Owner and the City, by granting and accepting this agreement respectively, mutually covenant and agree as follows:

1. The City will make reasonable efforts to minimize disruption and inconvenience to said Property and uses made thereof in compliance with applicable law and so as not to interfere with the Owner's tenants or activities.

PORT OF EVERETT
 Right of Entry - Grand Ave Park Bridge

Exhibit "A"


GRAND AVENUE PARK BRIDGE
Proposed Geotechnical Borings
as per attached



Legend

- ◆ BH-1 Proposed designation and location of Phase 3 geotechnical borings.
- ◆ BH-2 Proposed designation and location of Phase 2 geotechnical borings.
- ◆ BH-3 Proposed designation and location of Phase 4 geotechnical boring.

Not to Scale

FIGURE NO 1	PROPOSED EXPLORATION PLAN	 HWA GEOSCIENCES INC.
PROJECT NO. 2014-090		

GRAND AVENUE PARK BRIDGE
EVERETT, WA

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

Right of Entry Agreement with
the Port of Everett granting
property access for Grand
Avenue Park pedestrian and
utility bridge project

	Briefing
	Proposed Action
	Consent
2/25/15	Action
	First Reading
	Second Reading
	Third Reading
	Public Hearing
	Budget Advisory

Originating Department

Contact Person

Phone Number

FOR AGENDA OF

Real Property

Mike Palacios

425-257-8938

2/25/15

Initialed by:

Department Head

CAA

Council President

$$df$$

58

1620 WMVD

Right of Entry Agreement

Utilities, Real Property

The City needs to conduct geotechnical investigative work on Port of Everett property as part of the design work for the Grand Avenue Park pedestrian and utility bridge project. The attached right of entry agreement grants the City access to the Port of Everett's property to perform this work.

Authorize the Mayor to sign Right of Entry Agreement with the Port of Everett granting property access for Grand Avenue Park pedestrian and utility bridge project.

Council Approved
on 2/25/15 SS